

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

ROBERT JAMES FOX, )  
                      )  
Plaintiff,          )  
                      )  
v.                   )      No. CIV-08-97-FHS  
                      )  
THE CITY OF COALGATE, et al., )  
                      )  
Defendants.         )

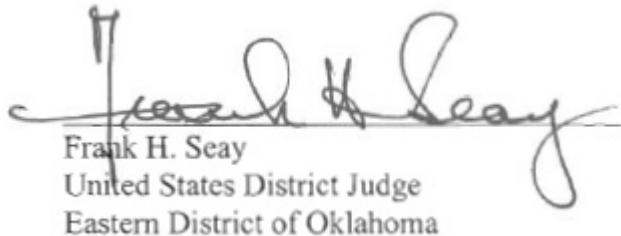
**ORDER**

Plaintiff, Robert James Fox, has filed this civil rights action against various Defendants and seeks leave to proceed *in forma pauperis* through his "Affidavit of Inability to Pre-Pay Fees as Presented by Robert James Fox." In his "Affidavit," Plaintiff contends he is "a sovereign, *sui juris*, free white male, a follower of Yahshua the Messiah in the laws of The Almighty Supreme Creator, JHVH" and therefore he "doe[s] not believe that any fees or costs can attach to" him. Fox Affidavit, p. 2. Plaintiff somewhat retreats from this belief that filing fees cannot be imposed against him when he later states that he "agree[s] to make every effort to pay any fees or costs lawfully imposed upon [him] by a fair, impartial, and competent court upon its final and appealable judicial determination that shall include findings of fact and conclusions of law and a full determination of my ability to pay said fees and costs attached thereto" and that he "demand[s] that any and all costs and fees be taxed to this case." *Id.* at p. 4.

Plaintiff's "Affidavit" is insufficient to allow him to proceed *in forma pauperis*. Having fully reviewed Plaintiff's "Affidavit," the Court finds that Plaintiff has wholly failed to provide the Court with any statement of his financial condition

which would allow the Court to assess his ability to pay any fees herein as required under 28 U.S.C. § 1915(a)(1). Consequently, Plaintiff's request to proceed *in forma pauperis* as encompassed within his "Affidavit of Inability to Pre-Pay Fees as Presented by Robert James Fox" is denied and Plaintiff is directed to submit the filing fee in the amount of \$350.00 to the Clerk of the Court by March 24, 2008. Failure to submit the \$350.00 filing fee by March 20, 2008, will result in the immediate entry of an order dismissing this case without prejudice.

It is so ordered this 11<sup>th</sup> day of March, 2008.



Frank H. Seay  
United States District Judge  
Eastern District of Oklahoma